

# Worth of Psychology For Criminals Queried

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Chief Judge David L. Bazelon of the U.S. Court of Appeals, the judge who pioneered in bringing psychologists and their concepts into the criminal justice field, told a group of psychologists this week that he questions their value in dealing with violent criminals.

In a speech entitled, "Psychologists in Corrections — Are They Doing Good for the Offenders or Well for Themselves?", the judge told a meeting Thursday of about 40 correctional psychologists in Florida:

- He believes violent crime "is an inevitable by-product of our society's social and economic structure," and is not the result of sick persons who must be treated by doctors.

- He does not believe more money is necessary for psychological research. When he judged research proposals on the Advisory Council of the National Institute of Mental Health, Bazelon said, he "could count on one hand" the number of research projects promising or useful for those working in criminal justice.

- He questions whether too much money is being spent for psychologists in "action programs" such as rehabilitation.

"We now have a federal penal institution in West Vir-



**JUDGE DAVID BAZELON**

...unusual stance

ginia that spends, and this was the figure several years ago about \$13,000 per year on each inmate", the judge said "Don't we have to ask whether the problem could be better handled by letting the inmate out of the institution and just giving each one of them \$13,000 per year?"

By all accounts, Bazelon's speech provoked a strong reaction and numerous questions from the psychologists at the convention. Several psychologists interviewed yesterday were reluctant to discuss their

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feelings. They generally said that Bazelon had "oversimplified" the problems and that they disagreed with his remarks about money for research.

It was an unusual stance for Bazelon, known throughout the country as an authority on the relationship between psychology and the law. The judge is the author of the "Durham Rule," which liberalized the standards under which a defendant could be found not guilty by reason of insanity. He is also a clinical professor on the legal aspects of psychiatry at George Washington University Medical School.

In 1968, in a speech before the Adolescent Medicine Seminar here, Bazelon noted, "There are still many people — judges and others — who seem to believe that criminal behavior by white, middle-class people may well be a result of mental disorder, but that criminal behavior by ghetto residents is somehow unconnected with mental illness." Ghetto youngsters, he said the, "have the highest claim to our scarce psychiatric resources."

Over the years, in his Court of Appeals decisions, he has vigorously fought to ensure that criminal defendants have a full and proper psychological examination before trial and adequate rehabilitation once they are convicted or found not guilty by reason of insanity.

Interviewed by telephone in Florida yesterday, Bazelon said his speech really was not a new position for him. He said he had questioned the role of psychologists and social workers in a speech at

Harvard University two or three years ago.

"Everybody thinks I'm an apologist for the behavioralists," Bazelon said. "They don't need me to help them. They have a valuable service to perform. But they are not wizards, and we must not forget it."

In his Florida speech, Bazelon told the psychologists, "Your discipline inevitably assumes, I think, that aberrant behavior is the product of sickness, and it brings to bear on the problem a medical or therapeutic model. That model assumes a white, middle-class, nonconforming subject whose antisocial conduct is attributable to mental disturbance."

Bazelon argued that the model does not fit for violent crime, much of which, he said, "is committed by persons who are clearly at the bottom of society's barrel..."

"Poor, black offenders are not necessarily sick. They may simply be responding to an environment that has impoverished them, humiliated them and embittered them."

"Will group therapy help a black teen-ager who steals cars and peddles drugs, and who will be tossed at the end of his 'rehabilitation' right back into the environment that nurtured him?"

Psychologists at the conference, which was financed by about \$20,000 in federal funds, said they respected Bazelon's judgement but did not necessarily agree with him.

"He's a delightful person," said Dr. Stanley Brodsky, a psychologist at Southern Illinois University and the chairman of the conference "I'm very pleased he came and got us stimulated to examine who we are and what we're doing." Brodsky said he disagreed with Bazelon's views about the need for more research.